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Applicant: Gary Steven Strumolo, et al
Serial No.: 09/580,056
Attorney Docket No.: 199-2102

REMARKS

Claims 21-27 are pending herein.

Claims 21-27 were rejected.

Claim Rejections under 35 U.S.C 103

Claims 21-27 were rejected under 35 U.S.C. 103(a) as being unpatentable over Lynam, U.S. Pat. No. 6,522,451, in view of Marhauer, U.S. Pat. No. 4,306,770.

It is respectfully submitted that Lynam in view of Marhauer fails to render claims 21-27 obvious under 35 U.S.C. 103(a), as hereinafter discussed in detail.

Lynam in view of Marhauer fails to teach invention of claims 21-24

Claim 21, from which claims 22-24 depend, recites "A vehicular mirror assembly...comprising...a mirror...having a first half...and a second planar half which is...continuous with said first half...", as recited in claim 21 and defined by claims 22-24 as dependent from claim 21.

In the Office action, it was stated, "Thus, it would have been obvious at the time of invention to remove the demarcation element (65) of Lynam in order to provide an unobstructed view and a smooth transition between the curved and planar portions".

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Each of the drawing Figures in the Lynam patent shows a demarcation element (reference numerals 65, 165, 265) on the Lynam mirror. Furthermore, the Lynam specification repeatedly expresses the desirability of providing a demarcation element between the planar and multiradius portions of the mirror. For example, in the Abstract, lines 16-20, it is stated, "The plano reflective element and the multiradius portion are separated by a demarcation element which enables the driver to readily delineate a rearward view in the multiradius portion". Such desirability for the demarcation element is reiterated in col. 3, lines 56-60 of the Lynam patent.

It is therefore respectfully submitted that the Lynam patent teaches away from providing continuity between the curved half (55) and the planar half (50) of the Lynam mirror, as such would defeat the stated goal of "[enabling] the driver to readily delineate a rearward view in the multiradius portion".

Furthermore, as set forth in the previous response, the Marhauer patent discloses that the planar portion (7) and the curved portions (9, 10) of the Marhauer mirror are sharply discontinuous with each other.

Therefore, it is respectfully reiterated that the Marhauer patent would fail to provide any teaching, suggestion or motivation to a person of ordinary skill in the art to provide

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continuity between the plano element and the multiradius element of the mirror disclosed in the Lynam patent.

The rejection of claims 21-24 is further traversed on the grounds that Lynam in view of Marhauer fails to teach or suggest, in combination, "A vehicular mirror assembly...comprising...a mirror...having a first half which is proximate to [a] vehicle and which curves away from a driver of said vehicle and a second planar half which is distal to said vehicle and continuous with said first half...said mirror further having a score line which is resident upon said first half", as recited in claim 21 and defined by claims 22-24 as dependent from claim 21.

In each of the embodiments of the mirror disclosed in the Lynam patent, the planar portion (50) is notably larger than the multiradius portion (55). Therefore, the planar portion and the multiradius portion do not constitute "a first half...and a second planar half" of the Lynam mirror, as is the case with respect to the mirror defined by claims 21-24. Furthermore, the Lynam patent fails to teach or suggest "a score line resident upon said first half" of the mirror, as set forth in claim 21.

The mirror disclosed in the Marhauer patent includes a planar portion (7) and a convex portion (8) which is notably smaller than the planar portion (7), as shown in Figure 2 of the Marhauer patent. In the vehicle-mounted mirror, the planar

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portion (7) is disposed proximal to a vehicle, whereas the convex portion (8) is disposed distal to the vehicle. A gap (11) separates adjacent portions (9, 10) of the convex portion (8) from each other.

Therefore, it is respectfully submitted that the Marhauer patent would fail to provide any teaching, suggestion or motivation to a person of ordinary skill in the art to modify the Lynam mirror in such a manner that area of the multiradius mirror portion is substantially increased to half the area of the mirror, in combination with providing a score line resident on the multiradius mirror portion and reversing the position of the mirror such that the multiradius mirror portion is proximal to a vehicle and the planar mirror portion is distal to the vehicle, as defined by claims 21-24.

It is therefore respectfully submitted that Lynam in view of Marhauer fails to teach or suggest all of the limitations of claim 21 and claims 22-24 as dependent from claim 21.

Accordingly, it is respectfully submitted that Lynam in view of Marhauer fails to render claims 21-24 obvious within the contemplation of 35 U.S.C. 103(a). Reconsideration and allowance of claims 21-24 is therefore respectfully solicited.

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Lynam in view of Marhauer fails to teach invention of amended claims 25-27

It is respectfully submitted that Lynam in view of Marhauer fails to teach or suggest all of the limitations of claim 25 and claims 26 and 27 as dependent from claim 25.

Lynam in view of Marhauer fails to teach or suggest "providing a mirror assembly having a mirror with a planar half and a curved half", as the planar section of both the Lynam mirror and of the Marhauer mirror is notably larger than one-half the area of the corresponding mirror, as noted herein above.

Furthermore, neither Lynam nor Marhauer teaches or suggests "A method...comprising...providing a mirror assembly having a mirror with a planar half and a curved half...forming a score line upon said curved half between said first portion and said second portion, effective to separate said first image from said second image", as set forth in claim 25.

In contrast, Lynam discloses a mirror comprising a planar section (50) and a multiradius section (55) separated by a demarcation element (65). Lynam fails to teach or suggest "forming a score line upon" the multiradius section. Furthermore, Marhauer fails to teach or suggest "forming a score line upon" the convex mirror portion (8). Therefore, it is

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respectfully submitted that Marhauer fails to teach or suggest "forming a score line upon" the multiradius section of the Lynam mirror.

Moreover, it is respectfully submitted that Lynam in view of Marhauer fails to teach or suggest "adjusting said mirror assembly to cause said score line to be visually aligned with a rear portion of said vehicle", as set forth in claim 25. In contrast, as shown in Fig. 5 of the Marhauer patent, the entire field of vision of the Marhauer mirror is aligned with an area adjacent to a vehicle, rather than with "a rear portion of the vehicle", to which the mirror is attached.

Therefore, it is respectfully submitted that Lynam fails to teach or suggest aligning any portion of the Marhauer mirror with "a rear portion of the vehicle" to which the mirror is attached.

Accordingly, it is respectfully submitted that Lynam in view of Marhauer fails to render claims 25-27 obvious within the contemplation of 35 U.S.C. 103(a). Reconsideration and allowance of claims 25-27 is therefore respectfully solicited.

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Conclusion

Every effort has been made to amend applicant's claims in order to define the invention in the scope to which it is entitled. Accordingly, reconsideration and allowance of claims 21-27 is respectfully solicited.

Respectfully submitted,

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